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Attorney Docket No. 021756-087400US
Client Ref. No. OID-2000-022-01

TOWNSEND and TOWNSEND and CREW LLP

By: 
Linda Shaffer**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Kiran Gurudutt Bellare

Application No. 09/728,724

Filed: December 1, 2000

For: METHODS AND SYSTEMS FOR
RULE-BASED DISTRIBUTED AND
PERSONALIZED CONTENT
DELIVERY

Customer No. 20350

Confirmation No. 5312

Examiner: Azizul Q. Choudhury

Technology Center/Art Unit: 2445

PETITION TO WITHDRAW HOLDING
OF ABANDONMENT (NO FEE)

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On May 13, 2009, a Notice of Abandonment was issued. The reason for abandonment was applicant's failure to timely pay the required issue fee and publication fee – stating that a balance of \$300 is due for the publication fee.

On February 17, 2009, Applicant submitted Form PTOL-85 (with an indication under item 4a to pay *both* the issue fee and publication fee; item 4b instructs the Director to charge the required fees to Deposit Account Number 15-0635). Copies of the Auto-Reply Facsimile Transmission from the USPTO and the original and copy of the Fee Transmittal are attached as Exhibit A.

Attached as Exhibit B are copies of both the original and copy of the Fee Transmittal as downloaded from Private Pair. As can be see, it is indicated that \$1510.00 was

Page 1 of 2

Application No. 09/728,724
Petition to Withdraw Holding of Abandonment (No Fee)
Reply to Abandonment dated May 13, 2009

PATENT

deduced from Deposit Account No. 15-0635; however, the Fee Transmittal clearly indicates under item 4a to pay *both* the issue fee and publication fee, and to charge the deposit account.

As it is clear that a response to the Notice of Allowance dated February 6, 2009 was timely filed, Applicant requests that the Notice of Abandonment be withdrawn and the application passed to issue.

It is believed that no fee is due in connection with this Petition because it resulted from no act or omission on the part of Applicant, but rather was due to an apparent error by the USPTO.

As this application has recently been transferred to the undersigned's law firm, with a Power of Attorney and Statement Under 37 CFR 3.73(b) being electronically filed on June 11, 2009, it is requested that the inadvertent oversight by the USPTO of neglecting to charge the publication fee at the time of filing the issue fee be charged to Deposit Account No. 20-1430.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (925) 472-5000.

Respectfully submitted,



Sean F. Parmenter
Reg. No. 53,437

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (925) 472-5000
Fax: (415) 576-0300
SFP:lls
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EXHIBIT

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02/06/2009

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ALAN W. YOUNG	(Depositor's name)
<i>[Signature]</i>	(Signature)
Feb. 17, 2009	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,724	12/01/2000	Kiran Gurudutt Bellare	ORCL5672	5312

TITLE OF INVENTION: METHODS AND SYSTEMS FOR RULE-BASED DISTRIBUTED AND PERSONLIZED CONTENT DELIVERY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	05/06/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHOUDHURY, AZIZUL Q	2445	709-218000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

ORACLE INTERNATIONAL CORPORATION

REDWOOD SHORES, CA

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☒ Issue Fee
☒ Publication Fee (No small entity discount permitted)
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4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 15-0635 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. Sec 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. Sec 37 CFR 1.27(g)(2).

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Authorized Signature

[Signature]

Date

Feb. 17, 2009

Typed or printed name

ALAN W. YOUNG

Registration No.

37,970

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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REDWOOD SHORES, CA

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ALAN W. YOUNG

Date

Feb. 17, 2009

Typed or printed name

Registration No.

37,970

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APPL. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	5150	3300	\$0	\$1810	05/06/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHOUDHURY, AZIZUL Q	2443	709-218000

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Authorized Signature Alan W. Young
 Typed or printed name ALAN W. YOUNG

Date Feb. 17, 2009
 Registration No. 37,970

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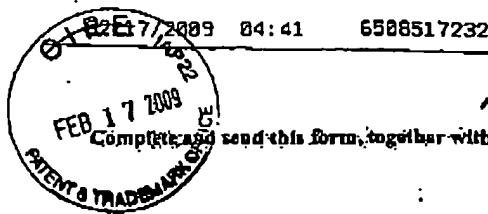
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ALAN W. YOUNG (Depositor's name)
Feb. 17, 2009 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	COMPLETION NO.
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09/08/2004 12/01/2006 Kim O'Rourke Bellare ORCL3672 5342
TITLE OF INVENTION: METHODS AND SYSTEMS FOR RULE-BASED, DISTRIBUTED AND PERSONALIZED CONTENT DELIVERY

APPLICANT	SMALL ENTITY?	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional NO \$4310 \$300 \$0 \$4610 05/06/2009

EXAMINER	ART UNIT	CLASS SUBJECT
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CHUDHURY, AJJUL Q 2445 709-218007

1. Change of correspondence address with indication of "Fee Address" (37 CFR 1.303)

☐ Change of correspondence address (or Change of Correspondence Address) from PTO/SB(172) attached.

☐ Fee Address indication (or "Fee Address" indication form, PTO/SB(172) or, more properly, attached. Use of a Customer Wrap by is required.

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PTOL-40 (Rev. 08/07) Approved for use through 09/31/2010.

OMB 0631-0033

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